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an estate may include a power to mortgage where such is not directly opposed to the intention of the testator and would be of greater benefit to the estate. *Faulk v. Dashiell*, 62 Tex. 642, 50 Am. Rep. 542. But it would seem this doctrine should be confined to relief from some pressing exigency apparent on the face of the will. See *Bloomer v. Waldron*, *supra*. The estate, in the principal case, is directed by the testator to be settled up as expeditiously as possible. Any implication then of a power to mortgage in this case would be contrary to the intention of the testator, for the executor would hold an equity of redemption until its foreclosure, and there would be a necessary delay in settling up the estate.

FREEDOM OF THE PRESS—CENSORSHIP OF MOVING PICTURE FILMS.—Act Ohio May 3, 1913 (103 Ohio Laws, pp. 399-401), providing for a board of censors of moving picture films and prohibiting the exhibition within the State of any film not bearing the stamp of approval of such board was alleged to be violative of the Federal and State constitutional provisions safeguarding the freedom of the press. *Held*, the act is constitutional. *Mutual Film Co. v. Industrial Commission of Ohio*, 215 Fed. 138. See NOTES, p. 216.

JURY TRIAL—RIGHT OF APPEAL TO—WHAT IS AN UNREASONABLE RESTRICTION UPON THE RIGHT.—A statute gave justices of the peace jurisdiction over a certain class of offences and allowed an appeal therefrom to jury trial upon the entering of a certain recognizance by the convict. The convict was unable to furnish the required recognizance.

Held, the right of trial by jury is not denied provided there is an unfettered right of appeal to jury trial but that such recognizance, as a necessary condition to allowing an appeal, is an unreasonable restriction upon the right, and mandamus will lie to command the grant of the appeal without condition. *Vetock v. Hufford* (W. Va.), 82 S. E. 1099. See NOTES, p. 218.

NAVIGABLE WATERS—OWNERSHIP OF LAND UNDERLYING NAVIGABLE WATERS.—Owners of land abutting on a navigable fresh-water lake attempted to fill in the bed of the lake below low-water mark in order to obtain certain ores from the bed of the lake. The State sought to enjoin the filling in. *Held*, the landowners may be enjoined from filling in the lake since the title to the bed of the lake below the low-water mark is in the State in trust for the public, and not in the abutting landowners. *State v. Korrer* (Minn.), 148 N. W. 617. See NOTES, p. 220.

NEGLIGENCE—INJURIES TO CHILDREN—TURNTABLE DOCTRINE.—The defendant maintained a number of empty coal cars on a sidetrack not far from an incline in the track, but they were so secured that they could not be set in motion by a child under the age of fourteen. Certain boys from fifteen to seventeen years of age set the cars in motion and on their way down the incline they ran over and killed a boy of ten years. *Held*, the defendant is not guilty of negligence under the Turntable Doctrine. See NOTES, p. 223.